



**Application Submittal Checklist for an
APPEAL OF AN ADMINISTRATIVE DECISION (APL)**
Planning & Building Department
Planning Division

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APPLICABILITY. *This checklist should be used when submitting a request for an **Appeal of an Administrative Decision**. The purpose of an appeal is to allow an aggrieved person affected by any decision or interpretation by the Planning Director or Town Engineer to appeal the decision or interpretation to the Town Council for a review of whether the decision or interpretation complies with the requirements of the LDRs.*

When is an Appeal submitted?

An appeal may be filed for any decision or interpretation of the Planning Director or Town Engineer. The appealed decision or interpretation may be only part of a larger decision, but the appealed decision or interpretation must be formally documented in the form of a permit approval, formal interpretation, or other officially issued determination.

Do I need a Pre-Application Conference first?

A Pre-Application Conference is not required prior to submittal.

FINDINGS FOR APPROVAL. *Appeals of administrative decisions will be reviewed pursuant to the standards in **Section 8.8.3, Appeal of an Administrative Decision**.*

The Board of Adjustment shall make one of the following determinations on the appeal, which shall be based on the preponderance of the evidence standard applied to the record:

- a. The decision-maker properly evaluated the application and interpreted and applied the standards;
- b. The decision-maker made an error in measuring or interpreting the proposal's compliance with a standard;
- c. The decision-maker misunderstood how to apply a standard;
- d. The decision-maker made the decision based on a standard not contained in these LDRs or other appropriate ordinance, regulation, or state law;
- e. The decision-maker incorrectly applied a standard more strict or broad than the standard established in these LDRs; or
- f. The decision-maker misinterpreted a provision in the LDRs, based on the standards for interpretations established in Sec. 8.6.1.

GENERAL INFORMATION.

_____ **Appellant's Status.** Describe how the appellant qualifies as an aggrieved person, as defined in Section 8.8.3, Appeal of an Administrative Decision.

_____ **Appeal Issues.** Clearly identify the issues or provisions of the determination or interpretation that are under appeal. The applicant may wish to cite specific LDR provisions, relevant prior interpretations or determinations, or provide documentation of facts in support of arguments made or issues raised.